

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LJUBICA STARCEVIC,

Plaintiff,

Case No. 08-13128
Hon. Marianne O. Battani

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

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ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Ljubica Starcevic brings this action for challenging the final decision of the Commissioner granting her application for Social Security Income (SSI) and denying her application for Childhood Disability Benefits (CDB). The case was referred to Magistrate Judge Mona K. Majzoub pursuant to 28 U.S.C. § 636(b)(1). Both parties filed dispositive motions, and in a Report and Recommendation ("R&R") dated June 15, 2009, Magistrate Judge Majzoub recommended that Defendant's Motion for Summary Judgment be granted and that Plaintiff's Motion for Summary Judgment be dismissed in part and denied in part. Specifically, Plaintiff's challenge to the Commissioner's decision on her SSI claim should be dismissed as untimely, and her challenge to the Commissioner's decision on her CDB claim be denied.

In her Report and Recommendation, the Magistrate Judge informed the parties that objections to the R&R needed to be filed within "ten (10) days of service" and that a party's failure to file objections would waive any further right of appeal. R&R at 14-15. Neither party filed an objection.

Because no objection has been filed in this case, the parties waived their right to *de novo* review and appeal. Accordingly, the Court **ADOPTS** the Magistrate Judge's recommendation, **DENIES in part** and **DISMISSES in part** Plaintiff's Motion for Summary Judgment, and **GRANTS** Defendant's Motion for Summary Judgment. Plaintiff's Complaint is **DISMISSED** in its entirety.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATE: July 22, 2009

CERTIFICATE OF SERVICE

A copy of this Order was e-filed and/or mailed to Plaintiff and counsel of record on this date.

s/Bernadette M. Thebolt
Deputy Clerk